

1 Lars K. Evensen, Esq.  
2 Nevada Bar No. 8061  
3 Robert J. Cassity, Esq.  
4 Nevada Bar No. 9779  
5 HOLLAND & HART LLP  
6 9555 Hillwood Drive, 2nd Floor  
7 Las Vegas, NV 89134  
8 Phone: (702) 222-2500  
9 Fax: (702) 669-4650  
10 lkevensen@hollandhart.com  
11 bcassity@hollandhart.com

12 Thomas E. Pontes, Esq. (*pro hac vice*)  
13 John D. Bowen, Esq. (*pro hac vice*)  
14 WYNN & WYNN, P.C.  
15 90 New State Highway  
16 Raynham, MA 02767  
17 tpontes@wynnandwynn.com  
18 jbowen@wynnandwynn.com

19 *Attorneys for Intervenor Bank of America, N.A.*

20 **UNITED STATES DISTRICT COURT**

21 **DISTRICT OF NEVADA**

22 FEDERAL TRADE COMMISSION,

23 Plaintiff,

24 v.

25 AWS, LLC, a Nevada limited liability  
26 company; ADAMS CONSULTING, LLC, a  
27 California limited liability company; FBA  
28 DISTRIBUTORS, LLC, a Massachusetts  
limited liability company FBA STORES,  
LLC, a Nevada limited liability company;  
GLOBAL MARKETING SERVICES L.L.C.,  
a Nevada limited liability company; INFO  
PROS, LLC, a Nevada limited liability  
company; INFO SOLUTIONS, LLC, a  
Nevada limited liability company; ONLINE  
AUCTION LEARNING CENTER, INC., a  
Massachusetts corporation; ONLINE  
AUCTION LEARNING CENTER, INC., a  
Nevada corporation; CHRISTOPHER F.  
BOWSER, individually and as an officer of  
FBA DISTRIBUTORS, LLC, FBA STORES,  
LLC, INFO SOLUTIONS, LLC, ONLINE  
AUCTION LEARNING CENTER, INC. and  
ONLINE AUCTION LEARNING CENTER,  
INC.; ADAM S. BOWSER, individually and

CASE NO.: 2:18-cv-00442-JCM-PAL

29 **STIPULATION AND ORDER  
30 ALLOWING BANK OF AMERICA, N.A.  
31 TO INTERVENE AND FILE  
32 COMPLAINT-IN-INTERVENTION**

1 as an officer of AWS, LLC, FBA  
2 DISTRIBUTORS, LLC, FBA STORES,  
3 LLC, INFO SOLUTIONS, LLC, ONLINE  
4 AUCTION LEARNING CENTER, INC. and  
5 ONLINE AUCTION LEARNING CENTER,  
6 INC.; JODY L. MARSHALL, individually  
and as an officer of INFO PROS, LLC and  
INFO SOLUTIONS, LLC; and JEFFERY A.  
GOMEZ, a/k/a JEFF ADAMS or JEFF  
ADAM, individually and as an officer of  
ADAMS CONSULTING, LLC and  
GLOBAL MARKETING SERVICES L.L.C.

#### Defendants.

9 Proposed Intervenor, Bank of America, N.A. (the “Bank”), and Plaintiff, Federal Trade  
10 Commission (“FTC”), by and through their respective counsel of record, hereby stipulate and  
11 agree as follows:

12       1. On September 19, 2018, the Bank filed a Motion to Intervene (ECF No. 91) (the  
13 “Motion”) in this action.

14       2. The Bank shall be granted leave to intervene in this matter as a matter of right  
15 under FRCP 24 and to file its proposed Complaint-In-Intervention (the “Complaint”), as set forth  
16 in Exhibit 1 to the Motion.

17       3.     The FTC reserves its right to assert all defenses, objections and counterclaims it  
18 may have in response to the Bank’s Complaint, including the FTC’s claim against the proceeds  
19 and accounts that are the subject of the Complaint.

20       4. The Bank and the FTC stipulate and agree to waive service of process of the  
21 summons and Complaint in accordance with FRCP 4(d). Accordingly, the FTC shall have 60  
22 days from the date the Court approves this Stipulation authorizing the filing of the Complaint to

23 | //

24 | //

25 | //

26 | //

27 | Page

• 8 | Page

HOLLAND & HART LLP  
9555 HILLWOOD DRIVE, 2ND FLOOR  
LAS VEGAS, NV 89134

1 answer or otherwise plead, including making a motion under FRCP 12, in response to the  
2 Complaint.

3 IT IS SO STIPULATED:

4 DATED September 26, 2018

5 /s/ Robert J. Cassity

6 Lars K. Evensen, Esq. (NV Bar No. 8061)  
Robert J. Cassity, Esq. (NV Bar No. 9779)  
7 HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
8 Las Vegas, NV 89134

9 Thomas E. Pontes, Esq. (*pro hac vice*)  
John D. Bowen, Esq. (*pro hac vice*)  
10 WYNN & WYNN, P.C.  
90 New State Highway  
11 Raynham, MA 02767

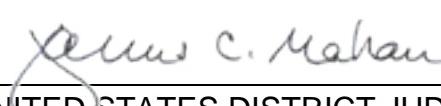
12 *Attorneys for Intervening Party, Bank of  
America, N.A.*

DATED September 26, 2018

/s/ Roberto Anguizola

Roberto Anguizola, Esq.  
Gregory J. Evans, Esq.  
Mary Kim, Esq.  
Federal Trade Commission  
600 Pennsylvania Ave. NW  
Mail Drop CC-8528  
Washington, DC 20580  
ranguizola@ftc.gov  
gevans2@ftc.gov  
mkim@ftc.gov

*Attorney for Plaintiff  
Federal Trade Commission*

13  
14  
15 IT IS SO ORDERED:  
16  
17  
18   
19 UNITED STATES DISTRICT JUDGE  
20 DATED: September 27, 2018  
21  
22  
23  
24  
25  
26  
27  
28